

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BP WEST COAST PRODUCTS, LLC,
Plaintiff and Counter-Defendant,

v.

CROSSROAD PETROLEUM, INC., ET
AL.,
Defendants and Counter-Claimants.

AND RELATED CONSOLIDATED
ACTIONS

Case No.: 12cv665 JLS (JLB) Lead Case

**ORDER (1) SETTING ADDITIONAL
TRIAL FORMAT STATUS
HEARING; (2) DIRECTING
ATTORNEY LACEY TO APPEAR
AT TRIAL FORMAT STATUS
HEARING; (3) DIRECTING
PARTIES TO FILE A PROPOSED
AMENDED SCHEDULING ORDER;
AND (4) DIRECTING ATTORNEY
SCHILLER TO SHOW CAUSE**

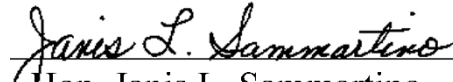
The Court held a Trial Format Status hearing in the above captioned matter at 9 a.m. on July 21, 2016. In light of the discussion at that hearing, including the noted June 20, 2016 disbarment of attorney David Schiller, who has represented more than 100 defendants and counter-claimants in this matter (often referred to as the “Schiller Defendants”), another hearing on trial format is necessary. The Court therefore **SETS** an additional Trial Format Status Hearing for 2:30 p.m. on August 11, 2016. The Court notes that Mr. Schiller’s co-counsel, Pamela Lacey, who also represents the Schiller Defendants, did not appear at the July 21, 2016 hearing. The Court **DIRECTS** Ms. Lacey to appear in person at the August 11, 2016 hearing.

1 The parties **SHALL** confer and submit on or before August 4, 2016, a joint motion
 2 and proposed amended scheduling order modifying the Court's February 17, 2016 Order
 3 Granting in Part Joint Motion to Set New Pretrial Deadlines, ECF No. 486.

4 Further, on its own motion, the Court **ORDERS** Mr. Schiller to show cause why this
 5 Court should not take judicial notice of his June 20, 2016 disbarment as indicated on the
 6 website for State Bar of Texas. *See* attorney search function at www.texasbar.com; *see*
 7 *also Singh v. Gonzales*, 231 F. App'x 648, 650 n.1 (9th Cir. 2007) (taking judicial notice
 8 of an attorney's disbarment pursuant to Fed. R. Evid. 201); *Forsythe v. Brown*, 281 F.R.D.
 9 577, 582 (D. Nev. 2012) (same); Fed. R. Evid 201(e) ("[A] party is entitled to be heard on
 10 the propriety of taking judicial notice and the nature of the fact to be noticed."). Mr.
 11 Schiller **SHALL** file a response to this Order on or before July 28, 2016. The Court
 12 anticipates that a written response to this Order will provide Mr. Schiller an adequate
 13 opportunity to be heard, and will set a hearing in this matter if it later deems one necessary.
 14 Failure to submit a timely response to this Order will result in revocation of Mr. Schiller's
 15 pro hac vice status and termination from this case.

16 **IT IS SO ORDERED.**

17 Dated: July 21, 2016


 18 Hon. Janis L. Sammartino
 19 United States District Judge
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